

REMARKS

Claims 1, 3, 4, 6-10, 12, 13, 16-21, and 24-31 are pending, with claims 1, 9, 20 and 29-31 being independent.

Independent claims 1, 9, 30 and 31 have been rejected as being unpatentable over Nelson '804 (U.S. Patent No. 6,430,804) in view of Nelson '554 (U.S. Patent No. 4,798,554).

Each of independent claims 1, 30 and 31 has been amended to recite a circumferential projecting surface formed on an internal surface of the body at an intersection between the tapered hole and the bore. Nelson '804 does not describe or suggest that the latch 68 and/or lip 64 (which the Office Action equates to the recited projecting surface) are circumferential. Rather, Nelson '804 only describes that the latch 68 extends from an inner periphery of tube 62 to latchingly engage with a tab 76 of the latch 68. See col. 3, lines 59-65 of Nelson '804. Nelson '554 does not remedy the failure of Nelson '804 to describe or suggest the recited circumferential projecting surface, nor is it relied upon by the Office Action for such a teaching. For at least this reason, applicants request reconsideration and withdrawal of the rejection of claims 1, 30 and 31 over Nelson '804 in view of Nelson '554.

Independent claim 9 recites a device that includes a tube and a body that has a first portion defining a tapered hole configured for guiding a member into the tube coupled to the body. When a balloon stick 2 or 28 of Nelson '554 (which the Office Action equates to the recited tube) is coupled to the balloon cup assembly 60 of Nelson '804 (which the Office Action equates to the recited body) as contemplated by the Office Action, the portion of the balloon cup assembly 60 (which the Office Action equates to the recited body) that defines conical cavity 78 (which the Office Action equates to the recited tapered hole) is not configured for guiding a member into the balloon stick 2 or 28. Specifically, both Nelson '804 and Nelson '554 couple the balloon stick to a balloon cup assembly only after a balloon has been attached to the balloon cup assembly. See col. 5, lines 10-12 of Nelson '804 and col. 4, lines 9-13 and col. 6, lines 58-60. Therefore, when the balloon stick 2 or 28 of Nelson '554 is coupled to the balloon cup assembly 60 of Nelson '804, the conical cavity 78 is prevented from guiding a member into the balloon stick 2 or 28 by balloon 12 and/or the deployed latch 68/lip 64 combination.

For at least this reason, applicants request reconsideration and withdrawal of the rejection of claim 9 and its dependent claims over Nelson '804 in view of Nelson '554.

Independent claim 20 has been rejected as being anticipated by Mericle (U.S. Patent No. 5,423,837).

Applicants have amended claim 20 to recite introducing an end of a member into the body through a larger opening of the tapered hole and, after the end of the member is introduced into the body through the larger opening of the tapered hole, guiding the member into the tube through the tapered hole. In Mericle, an end of the suture material (which the Office Action equates to the recited member) is not introduced into tip 6 (which the Office Action equates to the recited body) through the portion of bore 26 located at shoulder 24 (which the Office Action equates to the larger opening of the tapered hole). Rather, the end of the suture material is introduced into tip 6 through slit 29 and opening 28 (which the Office Action equates to the smaller opening of the tapered hole). See col. 5, lines 43-47 of Mericle. For at least this reason, applicants request reconsideration and withdrawal of the rejection of claim 20, and its rejected dependent claims, over Mericle.

Independent claims 29 has been rejected as anticipated by Nelson '804.

Independent claim 29, as amended, recites a cylindrical handle integrally connected to the body and projecting on only one side of the body opposite to the slot. Nelson '804 does not describe the recited cylindrical handle. In Nelson '804, the pneumatic actuator 50 or piston 92 (which the Office Action equates in the alternative to the recited cylindrical handle) is not integrally connected to the device 60 (which the Office Action equates to the recited body). Rather, the pneumatic actuator 50 is connected to conduit 48 and to housing 20 by collar 52, and the piston 92 is connected to blade 94 and received within and connected to the pneumatic actuator 50. For at least this reason, applicants request reconsideration and withdrawal of the rejection of claim 29 over Nelson '804.

Dependent claims 4 and 13, which depend from independent claims 1 and 9, respectively, have been rejected as unpatentable over Nelson '804 in view of Nelson '554 and Stivers (U.S. Patent No. 2,882,645). Stivers does not overcome the deficiencies in Nelson '804 and Nelson

'554 discussed above with respect to claims 1 and 9. For at least this reason, applicants request reconsideration and withdrawal of the rejection of claims 4 and 13 over Nelson '804 in view of Nelson '554 and Stivers.

Dependent claims 7 and 18, which depend from independent claims 1 and 9, respectively, have been rejected as unpatentable over Nelson '804 in view of Nelson '554 and Mason (U.S. Patent No. 4,145,838). Mason does not overcome the deficiencies in Nelson '804 and Nelson '554 discussed above with respect to claims 1 and 9. For at least this reason, applicants request reconsideration and withdrawal of the rejection of claims 7 and 18 over Nelson '804 in view of Nelson '554 and Mason.

Applicants submit that all claims are in condition for allowance.

Applicants do not acquiesce in the Office Action's characterizations of the art. For brevity and to advance prosecution, however, applicants may have not addressed all characterizations of the art and reserve the right to do so in further prosecution of this or a subsequent application. The absence of an explicit response by applicants to any of the Office Action's positions does not constitute a concession of the Office Action's positions. The fact that applicants' comments have focused on particular arguments does not constitute a concession that there are not other arguments for patentability of the claims. All of the dependent claims are patentable for at least the reasons given with respect to the claims on which they depend.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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